

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

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WISCONSIN LABORERS HEALTH FUND,  
WISCONSIN LABORERS PENSION FUND,  
and MILES MERTENS;

WISCONSIN LABORERS DISTRICT COUNCIL,

WISCONSIN LABORERS-EMPLOYERS  
COOPERATION AND EDUCATION TRUST FUND,

Plaintiffs,

vs.

Case No. 08-CV-260

EROSION CONTROL SPECIALTIES, LLC,

Defendant.

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ORDER FOR JUDGMENT  
AS TO DEFENDANT EROSION CONTROL SPECIALTIES, LLC

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Request and application for default judgment brought by the Plaintiffs in the above-captioned action were submitted to the Court and filed with the clerk.

The Court, having duly heard all issues and a decision having been duly rendered, Orders as follows:

1. Defendant Erosion Control Specialties, LLC has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.
2. Erosion Control Specialties, LLC violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreements

by failing to pay fringe benefit fund contributions, interest and liquidated damages on behalf of its employees to the Plaintiff Funds.

3. The court assesses the total damages in favor of the Plaintiffs and against the Defendant in the sum of \$58,237.24 for contributions, interest and liquidated damages for the audited period January 1, 2005 through October 31, 2007 as well as attorneys fees and costs incurred in their prosecution of this matter.

IT IS HEREBY ORDERED that the Clerk of Court is directed to enter judgment in favor of Plaintiffs, Wisconsin Laborers Pension Fund, and Miles Mertens, Wisconsin Laborers District Council, Wisconsin Laborers-Employers Cooperation and Education Trust Fund, and against Defendant Erosion Control Specialties, LLC in the amount of \$58,237.24.

Dated this 30<sup>th</sup> day of July, 2008.

BY THE COURT

Barbara B. Crabb  
U. S. District Court Judge